

UNITED STATES DISTRICT COURT NORTHERN M  
DISTRICT OF ILLINOIS EASTERN DIVISION

RICARDO BURGOS, JR.  
Plaintiff,

v

Case No. 17 C 9326  
Judge Charles R. Norgle

P.O. Rojas #15550  
P.O. Masters #13880  
P.O. Piek #13633  
P.O. Obrecki #14174  
P.O. Fowler #1232  
Sgt. Keefe #1016

RECEIVED

MAY 18 2018 <sup>kb</sup>

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

Amend Complaint

Complaint under the civil Rights Act, Title 42  
Section 1983 U.S. code

FILED  
5/21/2018

NF

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

I. Plaintiff.

- A. RICARDO BURGOS, JR.
- B. List All Alias: Nation; Red; Burgoz; Richard; Burgos, Junito
- C. Prisoner Identification Number: 51022-424
- D. Present Place of Confinement: Terre Haute FCI
- E. Address: P.O. Box 33, Terre Haute, Indiana 47808

II. Defendants:

- A. P.O. Rojas #15550  
Title: Chicago Police Department  
Place of Employment: 3340 W. Fillmore
- B. P.O. Masters #13880  
Title: Chicago Police Department  
Place of Employment: 3340 W. Fillmore
- C. P.O. PieK #13633  
Title: Chicago Police Department  
Place of Employment: 3340 W. Fillmore
- D. P.O. Obrecki #14174  
Title: Chicago Police Department  
Place of Employment: 3340 W. Fillmore
- E. P.O. Fowler #1232  
Title: Chicago Police Department  
Place of Employment: 3340 W. Fillmore
- F. Sgt. Keefe #1016  
Title: Chicago Police Department  
Place of Employment: 3340 W. Fillmore

### III. Statement of Claim

1. On January 8th, 2016 afternoon while walking to residence at 5211 W. Congress Parkway in Chicago, after exiting an associates vehicle, a man in regular clothes (P.O. Rojas #15550) approached plaintiff in the stairwell of his apartment building.
2. (P.O. Rojas #15550) grabbed the plaintiff by his collar on the stairwell forcefully yanking him towards him causing the plaintiff to fall down the stairs. Hitting his head on the stairs jamming his shoulder and hurting his back / wrenching his back in a way that caused the plaintiff to experience excruciating pain that caused him to cry out. Leaving the plaintiff startled and confused and afraid that he was about to be hurt by a stranger or even mugged in the hallway.
3. While falling down the stairs its possible that the plaintiff could have swiped (P.O. Rojas #15550) on the face with his arm from trying to catch his balance and lighten his fall. The plaintiff didn't have any knowledge of (P.O. Rojas #15550) allegation until he read the arrest report.
4. Plaintiff was afraid emotionally stressed and in fear for his life after being yanked of a stairwell and falling down a flight of stairs and being injured.
5. The plaintiff was going about his day and had done nothing wrong. Being grabbed was out of the ordinary the plaintiff was scared and felt anxious and



feared for his life when he notice the man had a gun.

6. That's when another man in regular clothes (P.O. Masters #13880) came and held the plaintiff down while (P.O. Rojas #15550) put his hand cuffs tight on the plaintiff. (P.O. Masters #13880) then yanked the plaintiff up off the floor hurting his arm causing swelling and bruising. (P.O. Rojas #15550) then physically yanked the plaintiff by his arm and roughly dragged him down the stairs making the plaintiff stumble down the stairs.
7. When reaching the bottom of the stair well, the main floor, three more men in regular clothes (P.O. Piek #13633) (P.O. Obrecki #14174) (P.O. Fowler #1232) came into the hallway.
8. That's when (P.O. Masters #13880) threatened the plaintiff by saying that he should shoot the plaintiff in the head. Knowing about all the police shootings in Chicago the plaintiff's heart started to race fast because he was scared and thought he was about to die.
9. (P.O. Rojas #15550) then yanked the plaintiff by the hand cuff causing laceration, cuts, and bruises hurting his arm and then slammed the plaintiff against the wall making his head hit the wall which made him see dots. While (P.O. Masters #13880) began to search the plaintiff.

10. (P.O. Masters #13880) started screaming at the plaintiff saying, "what do you have on you?" then ripped the plaintiffs jackets front pocket tearing his jacket open and then pulling the plaintiffs pants down to his ankles with force and aggression. Thats when the Plaintiff started to scream "help" because he felt scared and violated.
11. As the plaintiff was screaming "help, help, help" a man in regular clothes (P.O. Piek #13633) and from the plaintiffs knowledge who had a full mustash, beard, and facial hair at the time, grabbed the plaintiff by his neck and started to choke him to the point that he couldn't breathe. The plaintiff was struggling to break free, but couldn't then started to see black dots. The plaintiff thought he was going to die as he gasp for air. Leaving the plaintiffs neck sore and making it painful for him to breathe.
12. (P.O. Piek #13633) then slammed the plaintiff on his back hard causing the plaintiff to feel extreme pain, knocking the wind out of the plaintiff. The plaintiff also hit his head when slammed which made the plaintiffs vision blurred.
13. With force (P.O. Obrecki #14174) held the plaintiff down on the ground while (P.O. Piek #13633) began to punch the Plaintiff on his face hard. The back of the plaintiffs head kept hitting the ground with every blow from (P.O. Piek #13633) which left painful bruising on the back of the plaintiffs head and face. The plaintiff started to



cry because he couldn't believe how much anger (P.O. Piek #13633) had towards him. The plaintiff tried to scream for help, but couldn't get the words out because of his lost of breath.

14. The plaintiff lost consciousness because the next thing he remember was being out side while (P.O. Masters #13880) and (P.O. Obrecki #14174) dragged the plaintiff by each arm putting him in the back seat of a car.

15. While in the car the plaintiff felt dizzy, hurt, and violated. The plaintiffs head and back was in pain he felt a strong feeling of axiety in his chest. The plaintiffs neck was aching and he was very uncomfortable because of how tight the hand cuffs were grinding against his wrist bone.

16. The plaintiff was taken to 1011 S. Homan police Station and put in a room where he stayed for 15 to 20 minutes and then was taken to Coretta Hospital and treated for his injuries. The plaintiff was in so much pain while waiting in the hospital room. He asked for meds to stop the pain, but wasn't given none. The plaintiffs back hurted while being pushed in a wheel chair and while laying on the x-ray bed.

17. The plaintiffs left eye was swollen and the back of the plaintiffs head was bruised. His neck were also bruised and sore both the plaintiffs wrist were lacerated, cut, and bruised from being rough handled,

punched, slammed, and thrown around while wearing hand cuffs.

18. After leaving Loretta Hospital the plaintiff was taken back to 1011, S Homan Police Station, but wasn't taken straight directly back up stairs.

19. (P.O. Rojas #15550) and (P.O. Masters #13880) made the plaintiff stand off camera at the bottom of the stairs of the entrance that leads up stairs to the investigating rooms. (P.O. Rojas #15550) told the plaintiff that he had to speak to the Sergeant.

20. While waiting the plaintiff seen other officers and people in hand cuffs come in, but the officers covered there face and made them walk with ther heads down just so they wouldn't see the plaintiffs face. (P.O. Rojas #15550) told the plaintiff, "See dont nobody knows your talking to us."

21. When (Sgt. Keefe #1016) came he told the plaintiff that the FBI was there to talk to him (Sgt. Keefe #1016) told the plaintiff if the FBI ask what happen to your face to tell the FBI that you swung on (P.O. Rojas #15550) and tried to run, but the plaintiff told (Sgt. Keefe #1016) that is not what happen.

22. (Sgt Keefe #1016) proceeded in saying to the plaintiff if the plaintiff wanted the resisting arrest charge to disappear that he should tell the



FBI that he swung on (P.O. Rojas #15550) and tried to run, but the plaintiff told (Sgt. Keefe #1016) that's not the truth. The plaintiff told (Sgt. Keefe #1016) that the officer grabbed and yanked him roughly and he fell down the stairs and the officers beat him up while he was hand cuff.

23. The next day January 9th before court at the Cook County Court House on 26 Street and California Ave, the Public Defenders office took pictures of the plaintiffs face and wrist.



IV. Relief:

State briefly exactly what you want the court to do for you.

Compensatory damages, punitive damages and declaratory relief, jointly and severally against each defendant and anything else the court deems fair and just.

V. The plaintiff request that the case be tried by a jury.

CERTIFICATION

By signing this complaint, I certify that the facts stated in this complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the court.

Signed this 14 day of May, 2018

/s/ Ricardo Burgos, Jr.

RICARDO BURGOS  
# 51022-424

Federal Correctional Institution  
P.O. Box 33  
Terre Haute, IN 47808

RICARDO BURGOS #51022-424  
Federal Correctional Institution  
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Terre Haute, IN 47808



05/18/2018-18

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219 South Dearborn Street, 20<sup>th</sup> Floor  
Chicago, IL 60604



MAY 14 2018

FEDERAL CORRECTIONAL COMPLEX  
4700 BUREAU ROAD SOUTH  
TERRE HAUTE, IN 47802  
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